

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

NOLAN CORPENING,)	
)	
Plaintiff,)	
)	
v.)	CIVIL NO. 3:06CV176
)	
JOHN E. POTTER,)	
POSTMASTER GENERAL,)	
ET AL.,)	
)	
Defendants.)	

PRIVACY ACT ORDER

The parties have both requested a Privacy Act Order, but disagree about the proper language to be included in such an order. Federal Defendants anticipate having obligations to produce certain discovery, but counsel for Federal Defendants would have to object to the production of certain documents based on further concerns that the production is prohibited by the Privacy Act of 1974, 5 U.S.C. § 552a. It appears that the disclosures would be in the interest of justice and subject to Protective Order entered simultaneously herewith.

IT IS THEREFORE ORDERED that

1. To the extent that Federal Defendants object to the production of documents on the ground that such production is prohibited by the Privacy Act of 1974, 5 U.S.C. § 552a, the objection is overruled, and Federal Defendants shall produce the requested documents and other information and material. The Court is authorized to enter the Order pursuant to 5 U.S.C. § 551a(b)(11).

2. This Order is without prejudice to any other objections that Federal

Defendants may have to the discovery requests.

3. Nothing in this order shall be construed to limit the redaction of documents to be produced when counsel for Federal Defendants deems such redaction necessary for Privacy Act material unrelated to this lawsuit.

Signed: April 29, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

